

1980

c 115 The City of Mississauga Act, 1980

Ontario

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CHAPTER 115

An Act respecting the City of Mississauga

Assented to November 14th, 1980

WHEREAS The Corporation of the City of Mississauga, Preamble
herein called the Corporation, hereby applies for special
legislation in respect of the matters hereinafter set forth; and
whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario, enacts as
follows:

1.—(1) The council of the Corporation may, in addition to its Fire
routes
R.S.O. 1970,
c. 284
powers under paragraph 45a of subsection 1 of section 354 of *The
Municipal Act*, pass by-laws,

(a) regulating fire routes, and without limiting the general-
ity of the foregoing, the by-laws may include the follow-
ing:

1. The dimensions, location, construction and
maintenance standards of a fire route or of a
designated fire route.
2. The location, the number and proximity to a
building or structure of water hydrants.
3. Authority to the Building Commissioner of the
Corporation to refuse to issue a building permit
for any building or structure where the plan filed
with the building permit application does not
show the proposed location of a fire route, where
such is required, or where the plan shows a pro-
posed fire route which is not in conformity with
the by-laws passed pursuant to this subsection or
unless the security referred to in paragraph 4 has
been filed.
4. Provisions for the filing of security of such nature
and amount as the Corporation may determine
to ensure the proper construction of a fire route in

accordance with the by-laws passed pursuant to this subsection.

5. Provisions for the return or release, in whole or in part, of the security referred to in paragraph 4.

6. Requirements that existing fire routes or any class thereof which do not comply with the provisions of the by-laws passed pursuant to this subsection, comply, and the establishment of a time limit within which the fire routes are required to comply, or where there is a requirement for a fire route to an existing building or structure, that it be constructed within the period established in the by-laws passed pursuant to this subsection;

(b) diverting or altering any designated fire route;

(c) regulating and governing traffic on designated fire routes;

(d) providing for the erection of signs, including the granting of the right to enter on land to accomplish this, and providing that the effect of the signs shall be the same as though erected pursuant to any by-law enacted pursuant to *The Municipal Act* respecting the regulation of traffic;

(e) fixing the fees and charges to be paid to the Corporation for any engineering and inspection services it provides for the construction of a fire route, for designating a fire route and for the erection of signs, and providing for recovery of fees and charges in the event of non-payment in the same manner as a by-law enacted pursuant to *The Municipal Act*; and

(f) authorizing a police officer or a full-time fire fighter, upon discovery of any vehicle or trailer parked or left unattended in contravention of the provisions of any by-law passed pursuant to this subsection or pursuant to paragraph 45a of subsection 1 of section 354 of *The Municipal Act*, to have the vehicle or trailer moved to and stored in another location, and providing that all costs and charges of removal and storage thereof are a lien upon the vehicle or trailer, which may be enforced in the manner provided by section 48 of *The Mechanics' Lien Act*.

(2) Before passing a by-law pursuant to paragraph 6 of clause a or clause b of subsection 1,

R.S.O. 1970,
c. 284

R.S.O. 1970,
c. 247

Notice
of by-law

- (a) the council of the Corporation shall cause notice of the proposed by-law to be sent by prepaid mail to every owner and occupant as shown on the last revised assessment rolls whose lands or premises may be prejudicially affected by the proposed by-law;
- (b) the council of the Corporation or a committee of council shall hear in person or by his counsel, solicitor or agent, any person who claims that his lands or premises will be prejudicially affected by the by-law and who applies to be heard within four weeks of the notice being sent.

(3) A notice sent under subsection 2 shall include a statement of the estimated expenses that will be incurred by the owner of the lands on which the fire route is to be designated. Contents of notice

2.—(1) The council of the Corporation may pass by-laws, Payments in lieu of providing off-street parking

- (a) requiring that the owner of a building or structure shall pay an amount in lieu of providing off-street vehicle accommodation, as relief, to the extent set out in the by-law, from any provision in any other by-law of the Corporation requiring the provision or maintenance of off-street vehicle accommodation on land that is not part of a highway;
- (b) providing for prescribing the amount of the payment referred to in clause *a*; and
- (c) providing that the owner of the building or structure shall be relieved from the requirement and not be permitted to provide the off-street vehicle accommodation referred to in clause *a*.

(2) The payment referred to in subsection 1 shall be set out in an agreement between the Corporation and the owner of the building or structure and the agreement shall, Agreement

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) where the agreement provides for payment by instalments, be executed by all prior mortgagees or other encumbrancers to postpone their encumbrance in favour of the said agreement.

(3) An agreement made under subsection 2 shall provide for the payment to the Corporation of the sum of money therein set out either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the payment is computed. Payment

Reserve
fund

(4) All moneys received by the Corporation under an agreement made under subsection 2 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the acquisition, establishment and laying out of parking lots or facilities.

R.S.O. 1970,
c. 470

Lien

(5) Where a parking lot or facility has been acquired, established or laid out under subsection 4 and debentures have been issued for such purposes, the reserve fund shall thereafter be expended for the same purposes and in the same manner as the reserve fund provided for in paragraph 72 of section 352 of *The Municipal Act*.

R.S.O. 1970,
c. 284

Auditor's
report

(6) The auditor of the Corporation in his annual report shall report on the activities and position of any special account established under this section.

Lien on
lands when
agreement
registered

(7) Any agreement made pursuant to subsection 2 containing a description of the lands affected sufficient for registration may be registered in the proper land registry office and, when so registered, the amounts payable under such an agreement until paid shall be a lien upon the lands described therein and, in the event of a default of payment for a period of one year from the date any payment is due, such sum may be collected in the same manner and with the same remedies as provided by *The Municipal Act* for the collection of real property taxes.

Clerk's
certificate

(8) Upon payment in full of the moneys to be paid under an agreement registered under subsection 7, the clerk of the Corporation shall, at the request of the owner of the land or other person entitled under the agreement, provide a certificate in a form registrable in the proper land registry office on the title of the affected lands, certifying that all moneys due under the agreement have been paid.

Power to
define
areas

(9) Any by-laws passed under this section may define the area or areas of the City of Mississauga to which the by-law applies.

Interpre-
tation

3.—(1) In this section, "motor vehicle" includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power.

Motor
vehicle
racing
prohibited

(2) Notwithstanding any general or special Act, no person shall conduct or engage in or permit the racing of motor vehicles within the City of Mississauga unless such person has received the consent of the council of the Corporation, and, in granting such consent, the council may impose such terms and conditions that,

in the opinion of the council, are in the interests of the Corporation.

(3) Every person, whether as principal or agent, or an employee of either of them, who contravenes subsection 2 or who fails to comply with any term or condition imposed by the council under the said subsection or who fails to comply with any term or condition imposed by the council under the said subsection, is guilty of an offence and on summary conviction is liable on a first conviction to a fine of not more than \$5,000, and on a subsequent conviction to a fine of not more than \$10,000 for every day or part thereof upon which the offence occurs or continues. Enforcement

4. The council of the Corporation may by by-law appoint officers for the purpose of enforcing section 29a of *The Game and Fish Act*. Enforcement
of
R.S.O. 1970,
c. 186, s. 29a

5. This Act comes into force on the day it receives Royal Assent. Commence-
ment

6. The short title of this Act is *The City of Mississauga Act*, 1980. Short title

